

## **REMARKS**

The Examiner has rejected claims 1-11 and 13 under 35 U.S.C. § 103(a) of which claims 1 and 13 are the only independent claims. Claims 1, 2, 5, 8-11, and 13 stand rejected as being unpatentable over Yeuan, U.S. Patent No. 6,486,607 (Yeuan) in view of Sakamoto, U.S. Patent No. 5,594,463 (Sakamoto) and in further view of Rader et al., U.S. Patent Application Publication No. 2004/0233144 (Rader). Claim 3 stands rejected as being unpatentable over Yeuan, Sakamoto, and Rader in further view of Kondakov et al., U.S. Patent Application Publication 2004/0135749 (Kondakov). Claims 4, 6, and 7 stand rejected as being unpatentable over Yeuan, Sakamoto, and Rader, in further view of Ishizuki et al., U.S. Patent Application Publication 2003/0122813 (Ishizuki). The following remarks are respectfully submitted.

### **Rejections under 35 U.S.C. § 103(a)**

In the present Office Action, the Examiner seems to note the deficiencies in the Patent Office arguments in the earlier Office Action, with respect to whether the combination of Yeuan and Sakamoto would teach the present invention. Specifically, even if those two references are combined, they still did not teach all the elements recited in the pending Claims. The Examiner's response to that lack of teaching was to simply go out and find yet another reference to somehow provide one or more of the

missing elements. However, that additional reference, again, is different from both Yeuan and Sakamoto, such that a person of ordinary skill in the art would never have made or referred to the twisted combination of references cited by the Examiner.

The piecemeal approach in the Office Action can only be the result of a hindsight knowledge of the present invention based on the Application. When the Applicants have argued that the combination of references do not teach Element A, the Examiner has gone out and simply found a reference that might show some version of an Element A, without any thought toward the overall teaching of the references or how they might fit together. The Examiner does that here again, with the Rader reference, which is so different from Yeuan/Sakamoto that a person of ordinary skill in the art certainly would not seek to somehow modify the previous two references with Rader. Therefore, not only are Yeuan/Sakamoto incompatible such that they would not work together, but also, the Rader reference would not work with either of the Yeuan or Sakamoto references alone, or individually, to somehow teach the present invention. Gathering up three very different references with no thought to the overall teaching of each reference, but rather a focus upon individual, unattached elements, does not set forth prima facie case of obviousness, with respect to the pending claims.

The combination of references does not render Claim 1 obvious.

The new reference, Rader, is directed toward a better method for current control of a battery powered LED circuit. Voltages measured across current control circuits are

used to determine the lowest voltage across parallel LEDs and the current control circuits, which are sent to a power conditioner. The power conditioner contains a charge pump that may be used to boost the voltage of a battery that is near the end of its charge in order to provide sufficient voltage to all LEDs to keep them illuminated. That is, the Rader invention is concerned with battery life only, not the qualities of a particular LED or array of LED's. Furthermore, the Rader reference addresses conventional LED technology, not the very different organic LED technology of the present invention. Therefore, Rader does not even recognize the problem to be solved in the present invention, nor does it even address the same technology. A person of ordinary skill in the art does not treat all LED technology the same, as earlier pointed out in the last Response, discussing the differences between Yeuan and Sakamoto. Therefore, a person of ordinary skill in the art would never arrive at the present invention from a reading of the three cited references.

Rader requires a single current control circuit 18 for each LED somewhat similar to Sakamoto. As earlier noted as well, modifying Yeuan with Sakamoto and Rader would render Yeuan inoperable. It certainly would not be something that a person of ordinary skill in the art would choose to do.

Rader does not teach or disclose measuring the voltage drop across a current source to measure a voltage drop across each individual light-emitting diode to indicate a specific degraded light output of the organic light-emitting diode. Again, Rader is only concerned with battery life.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Furthermore, there must be some teaching of how to modify the base reference Yeuan with the other references to get to the claimed invention. The Examiner cannot just magically say that you can put the references together, and it is so absent such a teaching. In the present case, each reference is directed to such a different problem, that there is no teaching of how the references might be integrated together. Again, it is not proper to just pull parts selectively out of a reference, and somehow put them together. That would be clearly hindsight. However, that appears to be the case with the Examiner's three and four reference combination.

There is no motivation to combine references,  
rather, there is a motivation not to combine.

The Examiner states in the present Office Action that the previous argument pertaining to claim 1 is moot in view of the new grounds of rejection, which is the addition of the Rader reference, to Yeaun and Sakamoto. The Examiner did not address the argument below from the previous response pertaining to no motivation to combine the references. The argument set forth was:

Furthermore Sakamoto teaches a matrix of electroluminescent elements in a common cathode configuration as illustrated in FIG. 3 of Sakamoto. Yeuan distinctly teaches away from the common cathode configuration as it is problematic with the thin film electroluminescent elements (TFEL) used. Additionally, Sakamoto teaches individual current sources with each element . . . , which would change the circuit in Yeuan

rendering Yeuan inoperable. Therefore, modifying Yeuan with Sakamoto would render the base reference Yeuan, inoperable. This is certainly not a path that would be taken by a person of ordinary skill in the art. For these reasons, Applicants contend that there is no motivation to combine Yeuan and Sakamoto. . . .

Similarly, the new reference, Rader, as stated above, measures the voltage across all of the current control circuits to determine the lowest voltage. That low voltage is used in a power conditioning circuit to potentially boost the power when the voltage from the battery powering the circuit falls below the forward voltages of the LEDs. Yeaun modified by Sakamoto determines a voltage increase to increase power to compensate for aging components. Replacing the voltage measurement in Yeaun modified by Sakamoto with that of Rader would render the combination inoperable for its intended use. Therefore, there would be no motivation to a person of ordinary skill in the art to combine the references. Furthermore, as noted above, by modifying Yeaun to have a current control circuit for each LED, as in Rader and Sakamoto, the operation of Yeuan would further be rendered inoperable. Therefore, the Rader reference does not provide any additional modification to Sakamoto or Yeuan, such that Yeuan could be properly modified. The Examiner seems to be forcing the issue of obviousness by forcing three very different references together. This defeats the whole purpose of an “obviousness” exercise. Three references that are forced together are not obvious. Because the combination of Yeuan, Sakamoto, and Rader does not teach or suggest all of the limitations in claim 1, and because there is no teaching of how to combine the references and keep Yeuan operable, or a motivation to combine. Claim 1 is

patentable over the combination and Applicants respectfully request that this rejection be withdrawn. Claim 13 is also patentable over the combination for at least the same reasons given above and Applicants respectfully request that the rejection to claim 13 also be withdrawn.

Dependent claims are also patentable over the  
combination of Yeuan, Sakamoto, and Rader.

Because claims 2, 5, and 8-11 depend from independent claim 1, Applicants submit that these claims are also patentable for at least the same reasons discussed above. Furthermore, these claims recite unique combinations of elements not taught or suggested by the combination of Yeuan, Sakamoto, and Rader, and accordingly, Applicants respectfully request that these rejections be withdrawn. In further rejecting various of the dependent claims, the Examiner even goes to a fourth reference.

The Examiner contends that claim 3 is unpatentable over Yeuan, Sakamoto, and Rader, as applied to claims 1, 2, 5, 8-11, and 13 above, and in further view of Kondakov, which supplies the teaching that the power compensation is to be performed periodically. Claim 3 depends from independent claim 1, which is patentable over the combination of Yeuan, Sakamoto, and Rader, and thereby contains all of the limitations therein. The addition of the Kondakov reference does not provide the teaching or suggestions lacking in the three other references. Applicants therefore submit that this claim is also patentable for at least the same reasons discussed above and request that this rejection be withdrawn.

The Examiner contends that claims 4, 6, and 7 are unpatentable over Yeuan, Sakamoto, and Rader, as applied to claims 1, 2, 5, 8-11, and 13 above in further view of Ishizuki. Claims 4, 6, and 7 depend from independent claim 1, which is patentable over the combination of Yeuan, Sakamoto, and Rader, and include all of the limitations therein. The addition of the Ishizuki reference does not provide the teaching or suggestions lacking in the other three references. Applicants submit these claims are also patentable for at least the same reasons discussed above. Furthermore, these dependent claims recite unique combinations of elements not taught or suggested by the references. Therefore, Applicants respectfully request that these rejections be withdrawn.

### **Conclusion**

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing remarks given herein, Applicants respectfully believe this case is in condition for allowance and respectfully requests allowance of the pending claims. If the Examiner believes any detailed language of the claims requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants are of the opinion that no additional fee is due as a result of this Amendment. Payment of all charges due for this filing is made on the attached

Electronic Fee Sheet. If any additional charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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